

CITY OF BRAWLEY
September 1, 2020

The City Council of the City of Brawley, California met in regular session at 6:00 PM, City Council Chambers, 383 Main, Brawley, California, the date, time and place duly established for the holding of said meeting. The City Clerk attests to the posting of the agenda pursuant to G.C. §54954.2.

Mayor Kastner-Jauregui called meeting to order @ 6:00 PM

PRESENT: Couchman, Hamby, Kastner-Jauregui, Nava, Wharton
ABSENT: None

INVOCATION CM Hamby

PLEDGE OF ALLEGIANCE CM Wharton

1. APPROVAL OF AGENDA

The agenda was **approved** as submitted. m/s/c Hamby/Couchman 5-0

2. PUBLIC APPEARANCES/COMMENTS (Not to exceed 4 minutes) this is the time for the public to address the Council **on any item not appearing on the agenda** that is within the subject matter jurisdiction of the City Council.

To maintain social distancing, in person attendance is strongly discouraged. Should a member of the public wish to provide public comments, please submit written comments via email to abenavides@brawley-ca.gov or contact the City Clerk's Office at 760/351.3080. The deadline to submit written comments or schedule telephonic participation is 2PM on September 1, 2020.

State of California Governor Gavin Newsom waived specific portions of the Brown Act by Executive Order for the period that social distancing measures are recommended and required by state and local public health officials. The waiver of Brown Act provisions requires:

- a. Members of the public are allowed to observe and address public meetings telephonically or through other electronic means.
- b. Procedures "swiftly" accommodate any reasonable request to accommodate access by disabled individuals to meetings that are accessible telephonically or through other electronic means in accordance with the Americans with Disabilities Act ("ADA").
- c. Notice of the procedure is provided for making requests for such reasonable accommodation with the notice for any public meeting.

No public comments were received by email or phone.

3. CONSENT AGENDA Items are approved by one motion. Council Members or members of the public may request consent items be considered separately at a time determined by the Mayor.

The consent agenda was **approved** as submitted. m/s/c Couchman/Wharton 5-0

AYES: Couchman, Kastner-Jauregui, Nava, Wharton
NAYES: None

ABSENT: None
ABSTAIN: None

- a. **Approved** Accounts Payable: August 7, 2020, August 14, 2020, August 21, 2020 and August 27, 2020.
- b. **Approved** City Council Minutes: July 7, 2020, July 21, 2020, August 4, 2020, August 7, 2020 and August 11, 2020.
- c. **Approved** Resolution No. 2020-61: Resolution of the City Council of the City of Brawley, California Declaring an Emergency, Ratifying Action Taken by the City Manager and Approving Emergency Replacement of One Failing Air Conditioning Unit at the Finance Department by The Air Conditioning Guys for \$8,141.00.
- d. **Approved** Resolution No. 2020-62: Resolution of the City Council of the City of Brawley, California Amending the Fiscal Year 2020/2021 City of Brawley Budget for \$8,141.00.

4. SCHEDULED PRESENTATIONS

- a. Recognition of Departing City Manager Rosanna Bayon Moore

Mayor Kastsner-Jauregui and Council Members presented Rosanna Bayon Moore with a plaque and a gift for her 9 years of exceptional leadership and dedication as City Manager, expressed the Council's appreciation for the opportunity to work with her, and wished her the best in her future endeavors.

Mayor Kastner-Jauregui presented Certificates of Recognition to City Manager Bayon Moore on behalf the Office of Senator Ben Hueso and Assembly Member Eduardo Garcia.

Library Director/Interim Parks & Recreation Director Mello stated that she has worked with many City Mangers in the City of Brawley, Rosanna has been the best one, she is inspirational, and Rosanna has helped and pushed her to get things done, and is a personable, poised listener. Ms. Mello thanked Rosanna for what she has learned under her leadership, guidance and professionalism. On behalf of the Brawley Public Library Board of Trustees, she expressed thanks for always being at the Board Meetings and always being gracious.

RECESS @ 6:45pm

RECONVENED @ 7:02pm

Public Works Director Sillas thanked City Manager Bayon Moore for giving him the opportunity and trust to be the City Engineer/ Public Works Director.

- b. Presentation on Project Approach for Main Street Improvements from 1st Street / Brawley Avenue to 8th Street by Guillermo Sillas, Public Works Director.

During the month of June 2020, Caltrans informed the City of available earmarked funds (2020 cycle) that are eligible for re-purposing. This means that these funds can be re-purposed into existing projects or programmed into new projects. The limitations are to ensure the projects are obligated promptly and used in the same geographic area as the original earmark to provide funding for other needed projects eligible under the Surface Transportation Block Grant Program (STBG).

The provision for these funds states that an earmark must be "more than 10 fiscal years prior to the current fiscal year." The provision became effective in Fiscal Year (FY) 2020.

The re-purposed funds may be obligated only on a new or existing project within 25 miles of the original earmark designation in the State. Twenty-five miles can be considered from any reasonable point from the location of the earmark, but the new or existing project must remain within the State.

The original project listed in the application and eligible for re-purposing was "Construct Highway connecting State Route 78/ 86 and State Route 111, Brawley".

The proposed project is the Asphalt Rehabilitation and Waterline Replacement along Main St from 1st Street to 8th Street. The funds available from the grant are \$1,901,833.96, the grant will pay 80% of the cost of the surface rehabilitation project up to an amount of \$1,901,833.96 and, the City will pay 20% of that amount which is \$380,366.79 plus the cost of waterline replacement (12 and 16 inch pipes) from 1st St to 8th St in the amount of \$2,079,415. We have until September 30, 2023 to obligate the funds; however, we want to complete the project in FY 2021-2022.

5. REGULAR BUSINESS

a. Update on City of Brawley Declaration of Local Emergency because of COVID-19 Pandemic.

i. Overall Outlook Presented by Fire Chief Mike York

Fire Chief York provided an outlook of the current emergency. The Imperial County Public Health Department has tested 59,388 patients; of that number, of which 48,273 are negative cases. There are 10,711 positive cases; the most affected group is 70-79. Currently, there are 739 active cases, of which 28 are currently hospitalized. Transfers have also stabilized to pre-COVID numbers. The IVC alternative care site currently has a warm status, supplies and equipment on site with no staff. The site is operational within 36 hours and has treated 213 patients to date. Two hundred ninety-four from COVID-19 have been reported countywide. In the 92227 zip code, there have been 1,868 positive cases and 34 deaths.

Yuma, AZ has tested 66,273 and has about 12,249 positive cases and 321 deaths. Mexicali reported a total of 8,115 positive cases and 1,445 deaths.

Staff continues to work with local, state and federal partners to coordinate continued response, as well as securing PPE and supplies. City Departments continue to adapt to provide services within health guidelines and plan for service model changes internally and externally when our region moves to the next phase of re-opening.

b. Discussion and Potential Action to Approve Resolution No. 2020- : Resolution of the City Council of the City of Brawley, CA Amending the Fiscal Year 2020/2021 City of Brawley Budget for the Library Department in the Amount of \$51,479.

Library Director Mello mentioned that curbside pickup is available, LAMBS Staff has started and the Library has implemented a Virtual Story Time program called Brawley Reads.

The City Council **approved** Resolution No. 2020-63: Resolution of the City Council of the City of Brawley, CA Amending the Fiscal Year 2020/2021 City of Brawley Budget for the Library Department for \$51,479. m/s/c Wharton/Hamby 5-0

c. Discussion and Potential Action to Authorize the City of Brawley File Server Storage, Hardware Refresh Project in the Total Amount of \$84,472.62.

Information System Manager Garibay mentioned that the current program is outdated and is no longer supported.

The City Council **authorized** the City of Brawley File Server Storage, Hardware Refresh Project in the total amount of \$84,472.62. m/s/c Nava/Couchman 5-0

5. DEPARTMENTAL REPORTS

- a. Monthly Staffing Report for September 2020, Prepared by Personnel & Risk Management Administrator Shirley Bonillas
- b. Update on Emergency Construction Project at the Brawley Water Treatment Plant to Replace Components of Two Sedimentation Basins Presented by Public Works Director Guillermo Sillas, PE

Information regarding the update available on the City of Brawley's website:

http://brawley.thepublicspectrum.org/view_video.php?meeting=201&video=15fAWcbEX4Q&yt=1

6. INFORMATIONAL REPORT

- a. Record of Building Permits for July 2020 in the City of Brawley, Prepared by Oscar Escalante, Interim Building Official

7. CITY COUNCIL MEMBER REPORTS

Nava: Thanked City Manager Bayon Moore for her years of service and all she has done for the City. Mentioned he will be taking part in a few items with respect to the City: filming as Chairperson of ICTC with a notable great group of persons, sharing screen time with Mayor Garcetti of Los Angeles, which will air later, relating to transportation and other issues. Will be working with small businesses that are just starting to open and excited to see that, with many good things coming to the City.

Wharton: Stated that it is good to be back in chambers. Stated that school is back, with changes on how schools meet, but one thing that does not change is who and what we are as a community. Mentioned that people are returning to work, children are returning to school, businesses reopening, and there is a whole lot of community lobbying on behalf of mom and pop businesses here in town. It will be difficult to follow the work the City Manager has done in 9 years and that has weighed heavy on his mind in terms of what we need to do as a Council to adjust and prepare ourselves to move forward and the best way we can rather follow her legacy. He feels confident with the experience and dedication of staff that we will be able to do that. "It is incumbent upon the Council that we come together more than ever and help us continue to press ahead". He has had some engagement directly with the Cattle Call Rodeo Committee and shared that the Cattle Call Committee is moving forward with the possibility of having a rodeo performance with the support of the County.

Couchman: Has been driving around the City, there is many things going on. Commented on Allen Street repairs, the project has affected the residences on that street, would like to see the project speeded up if possible. He continues to support local stores and restaurants with takeout. Stated everybody seems to be holding on but are not making a lot of money and are trying to succeed with the restrictions that are in place. Mentioned hair salons and barbershops are beginning to reopen. Resuming Rotary Meetings via Zoom, thanked City staff for doing what needs to be done to keep the City functioning and hopefully everything will continue to operate well. Thanked Rosanna and stated that she will be missed.

- Hamby:** Met with Katie Luna, CEO for the Brawley Chamber of Commerce, to discuss potential issues facing Brawley and its businesses. Participated in an interview with the City Audit Team, thanked Tyler and Staff for all their hard work. Has been in contact with Mark Huber regarding Cattle Call and is glad to see the rodeo moving forward even without spectators. Left messages for Assembly Member Garcia and Senator Hueso regarding some bills that were before the State related to COVID that would be burdensome for municipalities and business owners. Wished Armando a Happy Belated Birthday. Had several conversations with Ryan Rebollar, of Brawley Youth Football, regarding the use of city facilities for youth conditioning exercises. Echoed what everyone said about Rosanna, thanked her you for her hard work and wished her the best in the future.
- Kastner-Jauregui:** Continue to participate on all call-in conferences statewide related to the COVID pandemic. Was glad to see that Legion Road work has commenced, expressed some concerns on the Allen Street project, hoping it will progress a little faster. Received a few positive phone calls on the change of restrictions from the new blueprint. Stated that the Council will be working on a video presentation that will highlight all of the Council's accomplishments during this current year. Thanked CM Nava for taking the lead, and City Manager for providing a list of projects completed and was amazed at all that has been accomplished. Was happy to hear from Mark Huber that the County approved their plan to move forward with the Cattle Call. Mentioned that youth sports has been a hot issue and is looking forward to the City being able to allow them to use the parks. Thanked all staff for their help, thanked Rosanna and stated she will be missed very much.

8. CITY MANAGER REPORT

- a) Stated that Tyler and she had a chance to meet with San Diego State Imperial Valley Campus representatives Dean Gregorio Ponce, Victor Nava and Dr. Mark Wheeler future campus expansion at the Brawley Extension site.
- b) Upon the release of the blueprint for a safer economy, staff did quite a bit of outreach to businesses that may be effected.
- c) Recapped the type of park activities can now resume, mentioned that the adult component does not have the same approvals to proceed. it's the youth sports where the reopening has occurred, we received football and soccer requests, as staff it's getting acquainted with the things that are allowed and not and the various groups have certain levels of sophistication about it, staff are working hard to figure out how we can match the interest with the budget, specific features that were assumed for July 1 through December 30, so when there is an opportunity to try to accommodate within our budget we are doing it and when there is not, staff will be coming to the Council to either look at the cost recovery approach which will not have financial impact or a budget adjustment.
- d) Thanked the Council for all the incredible memories over these last nine years. Wished the City nothing but the greatest success. Thanked everyone and expressed gratitude for all the years of service to the City and its citizens.

9. CITY ATTORNEY

- a) Was asked to serve on a committee to figure out what to do with the money that has been donated for the victims of the Niland fire. Stated that \$300,000 has been donated or pledged, and there are 33 families without homes and the vast majority of those folks had no insurance, trying to figure what to do with that money in a fair and equitable manner.

- b) Took some pictures of someone who said that they were donating things to the Salvation Army in the alley by his Dojo, CA Smerdon stated that there has not been a Salvation Army there for a long time but there are two thrift shops located in this area. He asked the Council, in his capacity as a citizen and resident of Brawley, to consider an ordinance regulating this type of activity. Thanked Rosanna for taken care of cleaning up the alley.

CM Nava said he concurred with CA Smerdon, stating something needs to be done about that alley.

10. CITY CLERK None to report

11. CLOSED SESSION

POTENTIAL LITIGATION (California Government Code §54956.9)

- a. Conference with Legal Counsel – Two (2) Cases

PERSONNEL MATTERS (California Government Code §54957)

- a. Public Employee Appointment to the Position of Police Chief
b. Public Employee Appointment to the Position of City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (California Government Code Section §54956.8)

- a. Property: Brawley Municipal Airport, 948 Ken Bemis Drive
Agency Negotiator: City Manager
Negotiating Parties: Michael Sass
Under Negotiation: Rate and Terms

12. ADJOURNMENT @ 8:15

Alma Benavides, City Clerk